



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,147	10/05/1999	YORK EGGLESTON	CVC-002.02	9273

26694 7590 11/19/2002

VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/412,147

Applicant(s)  
Eggleston et al.

Examiner  
Frantzy Poinvil

Art Unit  
3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Aug 26, 2002.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17, 33-34, 39 and 42-58 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17, 33, 34, 39, and 42-58 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

Art Unit: 412,147

### DETAILED ACTION

1. As per claim 1, line 5, “executable” should be changed to --executed--. On lines 8-9, “is operative to provide” should be changed to --provides--. On line 9, “being” has been deleted. Also lines 10-13, should be changed to --providing a sponsor-selected specific award unit item, said sponsor-selected item being tailored to demographic and psychographic preferences of a sponsor-selected consumer user, and providing a sponsor-selected geographic location for fulfillment--.

As per claim 2, line 2, “a” second occurrence has been changed to --said--. On line 4, “operative to access” should be changed to --for accessing--.

As per claim 3, line 6, --said-- should be inserted before “automating”. On line 7, “comprising” should be changed to --for--. On line 15, “a” should be changed to --said--.

As per claim 4, lines 2-3, “and being capable of” should be changed to --for--. On line 5, “capable of” should be changed to --for--.

As per claim 6, line 12, “is operative to provide” should be changed to --provides--. Also on lines 12-13, “comprising being” should be changed to --for--. On line 14, “operative to provide” should be changed to --providing--. On line 145 “operative to provide” should be changed to --providing--. On line 17, “operative to provide” should be changed to --providing--.

**Art Unit: 412,147**

As per claim 8, line 2, “operative to store” should be changed to --for storing--. On line 3, “a consumer” should be changed to --said sponsor-consumer--.

As per claim 9, line 2, “consumer” should be changed to --sponsor-consumer--.

As per claim 10, line 2, “a” should be changed to --said--.

As per claim 11, line 5, “an” should be changed to --said--. On line 8, “such” should be changed to --said--. On line 12, “comprising” should be changed to --for--.

As per claim 13, line 1, “step” should be deleted.

As per claim 14, line 1, “step” should be deleted.

As per claim 15, line 1, “step” should be deleted.

As per claim 33, line 9, --is-- should be inserted before “in”. On line 12, “comprising being” should be changed to --for--. On line 13, “operative to provide” should be changed to --providing--. On line 14, “operative to provide” should be changed to --providing--. On line 16, “operative to provide” should be changed to --providing--.

As per claim 34, line 11, “comprising” should be changed to --for--.

As per claim 39, line 5, on line 5, “operative to add” should be changed to --for adding--. On lines 9-10, “is operative to allow” should be changed to --for allowing--. On line 12, “is operative to allow” should be changed to --for allowing--. On lines 14-15, it is unclear whether there are a plurality of member management databases or whether the phrase “said database” is referring back to the “member management database” previously recited in line 5 of claim 39.

Art Unit: 412,147

On line 17, "wherein the system further comprises" should be deleted. On line 18, "operative to allow" should be changed to --for allowing".

As per claim 43, it is unclear how the claimed elements comprise a browser.

As per claim 45, line 1, "options" should be changed to --option--.

As per claim 46, "operative to add" should be changed to --for adding--. On lines 9-10, "is operative to allow" should be changed to --for allowing". On line 11, "access" both occurrences should be changed to --accessing--.

As per claim 47, line 2, "is operative to select" should be changed to --selecting--. On lines 3-4, it is unclear whether there are a plurality of member management databases or whether the phrase "said database" is referring back to the "member management database" previously recited in claim 46.

Because of the number of errors, applicant is advised to review all the claims including the remaining claims for compliance with 35 USC 112, 2nd paragraph so as to place the instant claims in better form for allowance.

2.

Appropriate correction is required.

***Allowable Subject Matter***

3. Claims 1-17, 33-34, 39 and 42-58 are allowable over the art of record.

Serial Number: 09/412,147

Page 5

Art Unit: 412,147

4. This application is in condition for allowance except for the following formal matters noted above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for response to this action is set to expire **TWO MONTHS** from the date of this letter.

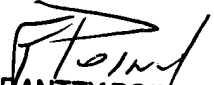
*Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The Examiner can normally be reached on "Monday-Thursday" from 7:30AM to 5:00PM.

The fax phone number for this Group is (703) 305-7645.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Frantzy Poinvil  
November 14, 2002

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
144 3628